

Notice of Allowability

Application No.

09/856,164

Examiner

Jimmy H. Nguyen

Applicant(s)

NICOLAS ET AL.

Art Unit

2673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the RCE papers filed on 11/15/04 and the interview on 2/10/05.
2. ☒ The allowed claim(s) is/are 20-34 renumbered as 1-15.
3. ☒ The drawings filed on 04 June 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date hereto.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Suzan Bailey on February 10, 2005.

2. The application has been amended as follows:

In the claims:

Claim 20 (renumbered as claim 1):

Line 1, replace "In combination," with -- A combination comprising --;

Line 2, replace "body," with -- body; --;

Line 4, replace "combination" with -- apparatus --.

Claim 21 (renumbered as claim 2):

Line 1, replace "apparatus," with -- combination --; and

Lines 1-2, replace "further comprising" with -- wherein said apparatus further comprises --.

Claim 22 (renumbered as claim 3):

Line 1, replace "apparatus," with -- combination --.

Claim 23 (renumbered as claim 4):

Line 1, replace "apparatus," with -- combination --.

Claim 24 (renumbered as claim 5):

Line 1, replace “apparatus,” with -- combination --.

Claim 25 (renumbered as claim 6):

Line 1, replace “apparatus,” with -- combination --.

Claim 29 (renumbered as claim 10):

Line 1, replace “apparatus,” with -- system --.

Claim 30 (renumbered as claim 11):

Line 1, replace “apparatus,” with -- system --, and “anyone of claims” with -- claim --.

Claim 31 (renumbered as claim 12):

Line 1, replace “apparatus,” with -- system --.

Claim 32 (renumbered as claim 13):

Line 1, replace “apparatus,” with -- system --.

Claim 33 (renumbered as claim 14):

Line 5, after “input,” insert -- from an apparatus being removably connected to the game equipment and used as a substitute for a conventional gamepad or joystick to obtain improved playability --;

Line 6, after “sensors”, insert -- of said apparatus --;

Line 10, after “sensors”, insert -- of said apparatus --;

Line 15, replace “said game equipment,” with -- a processing unit of said apparatus --;

Art Unit: 2673

Line 16, replace "joints for" with -- joints, converting said signals received from said sensors into two-state control signals by said processing unit, and --; and

Line 17, replace "corresponding" with -- said --.

Reasons For Allowance

3. The following is an examiner's statement of reasons for allowance: the present claimed invention is directed to a combination, a system and a method for controlling a video game run by a standard game equipment capable of displaying varying representation of a human body and an apparatus for transforming movements of a user into two-state control signals received by the game equipment. Each independent claim identifies the uniquely distinct features, "two-state elbow sensors, two-state knee sensors and a processing unit for converting signals from the sensors into two-state control signals received by the game equipment, so that the apparatus is removably connected to the game equipment and used as a substitute for a conventional gamepad or joystick to obtain improved playability". The examiner agrees with the applicants that the closest prior art, Curchod (US 5,826,578), as discussed in the last Office Action dated 6/15/2004, disclosing a system comprising the elbow and knee sensors of the progressive type to provide quantitative measurement of movement, either singularly or in combination with other prior arts in record, fails to anticipate or render the above underlined limitations obvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 2673

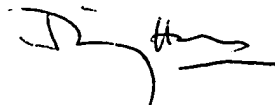
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jimmy H. Nguyen whose telephone number is (703) 306-5422.

The examiner can normally be reached on Monday - Thursday, 8:00 a.m. - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached at (703) 305-4938. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JHN
February 10, 2005



Jimmy H. Nguyen
Primary Examiner
Art Unit: 2673